



HOUSE BILL No. 5482

April 20, 1994 Introduced by Reps Bender McBryde McNutt Randall Freeman Walberg Dalman Stille Gilmer London Allen and Kilpatrick and referred to the Committee on Corrections

A bill to amend chapter IX of Act No 175 of the Public Acts of 1927, entitled as amended

The code of criminal procedure,
as amended being sections 769 1 to 769 28 of the Michigan
Compiled Laws by adding section 1f

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Chapter IX of Act No 175 of the Public Acts of
2 1927, as amended, being sections 769 1 to 769 28 of the Michigan
3 Compiled Laws is amended by adding section 1f to read as
4 follows

CHAPTER IX

5
6 SEC 1F (1) IF THE COURT SENTENCES A DEFENDANT TO IMPRIS-
7 ONMENT IN AN INSTITUTION UNDER THE JURISDICTION OF THE DEPARTMENT
8 OF CORRECTIONS PURSUANT TO THIS CHAPTER, THE COURT SHALL, AT THE

1 TIME THE PRISONER IS SENTENCED STATE ON THE RECORD THE TOTAL
2 COST OF IMPRISONING THAT DEFENDANT AS FOLLOWS

3 (A) IF THE DEFENDANT IS SENTENCED TO AN INDETERMINATE SEN-
4 TENCE, THE COURT SHALL STATE ON THE RECORD THE TOTAL COST OF
5 IMPRISONING THAT DEFENDANT BASED UPON THE MINIMUM TERM OF IMPRIS-
6 ONMENT IMPOSED AND UPON THE MAXIMUM TERM OF IMPRISONMENT
7 IMPOSED

8 (B) IF THE DEFENDANT IS SENTENCED TO IMPRISONMENT FOR LIFE
9 WITH ELIGIBILITY FOR PAROLE, THE COURT SHALL STATE ON THE RECORD
10 THE TOTAL COST OF IMPRISONING THAT DEFENDANT BASED UPON THE MINI-
11 MUM TERM OF IMPRISONMENT THAT MUST BE SERVED BEFORE THE DEFENDANT
12 IS ELIGIBLE FOR PAROLE AND UPON THE DEFENDANT S LIFE EXPECTANCY
13 IN PRISON

14 (C) IF THE DEFENDANT IS SENTENCED TO IMPRISONMENT FOR LIFE
15 WITHOUT ELIGIBILITY FOR PAROLE THE COURT SHALL STATE ON THE
16 RECORD THE TOTAL COST OF IMPRISONING THAT DEFENDANT BASED UPON
17 THE DEFENDANT S LIFE EXPECTANCY IN PRISON

18 (2) FAILURE TO COMPLY WITH SUBSECTION (1) DOES NOT CONSTI-
19 TUTE REVERSIBLE ERROR

20 (3) INFORMATION REGARDING THE COST OF IMPRISONING A
21 DEFENDANT IN AN INSTITUTION UNDER THE JURISDICTION OF THE DEPART-
22 MENT OF CORRECTIONS REQUIRED TO BE MADE ON THE RECORD UNDER SUB-
23 SECTION (1) IS PUBLIC INFORMATION AND IS SUBJECT TO DISCLOSURE
24 UNDER THE FREEDOM OF INFORMATION ACT, ACT NO 442 OF THE PUBLIC
25 ACTS OF 1976, BEING SECTIONS 15 231 TO 15 246 OF THE MICHIGAN
26 COMPILED LAWS

1 Section 2 This amendatory act shall not take effect unless
2 Senate Bill No _____ or House Bill No 5483 (request
3 no 05297 93 a) of the 87th Legislature is enacted into law